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## CHAPTER 48

### Problem Solving Courts

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### Problem Solving Courts

Problem-solving courts began in the 1990s to accommodate offenders with specific needs and problems that were not or could not be adequately addressed in traditional courts. Problem-solving courts seek to promote outcomes that will benefit not only the offender, but the victim and society as well. Thus problem-solving courts were developed as an innovative response to deal with offenders' problems, including drug abuse, mental illness, and domestic violence.

The Problem-Solving Courts Committee was created as a committee of the Judicial Conference of Indiana to assist the Indiana Judicial Center in certifying, training, and supporting problem-solving courts in Indiana. There are approximately 63 certified problem-solving courts in 35 counties across Indiana.

[I.C. 33-23-16](#) authorizes the establishment of a variety of Problem Solving Courts which are certified and monitored by the Indiana Judicial Center:

Community Courts focus on addressing specific neighborhood or local criminal problems by: (1) bringing together criminal justice professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible defendants or juveniles to individually tailored programs or services.

Domestic Violence Courts focus on the safety of the victim and the defendant's accountability by: (1) bringing together criminal justice professionals, local social programs, and intensive judicial monitoring; (2) linking victims to programs and services; and (3) linking eligible defendants and juveniles to programs and services.

Drug Courts focus on addressing the substance abuse issues of defendants or juveniles in the criminal justice system by: (1) bringing together substance abuse rehabilitation professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible defendants or juveniles to individually tailored programs or services.

Family Dependency Drug Courts focus on supporting families that include a child who has been adjudicated a child in need of services and a parent, guardian, or other household member who has substance abuse problems by: (1) bringing together substance abuse rehabilitation professionals, local social programs, and intensive judicial monitoring; and (2)

linking eligible parents, guardians, other household members, and juveniles to individually tailored programs or services.

Mental Health Courts focus on addressing the mental health needs of individuals in the court system by: (1) bringing together mental health professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible individuals to individually tailored programs or services.

Reentry Courts focus on the needs of individuals who reenter the community after a period of incarceration and that may provide a range of necessary reintegration services for eligible individuals, including the following: (1) supervision, (2) offender assessment, (3) judicial involvement, (4) case management and services, (5) program evaluation, (6) counseling and (7) rehabilitative care.

Veterans' Courts focus on addressing the needs of veterans in the court system by: (1) bringing together substance abuse rehabilitation professionals, mental health professionals, local social programs, and intensive judicial monitoring; and (2) linking eligible veterans to individually tailored programs or services.

A certified problem-solving court may collect user fees from eligible participants in accordance with

[IC 33-23-16-23](#) and Section 16 of the [Problem-Solving Court Rules](#).

For a directory of certified problem solving courts and additional information, see: <http://www.courts.in.gov/pscourts/index.html>

Federal rules exist concerning the confidentiality of alcohol and drug abuse patient records, which may apply to some problem-solving court participant records. These rules can be found at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/42cfr2\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/42cfr2_04.html)

## **Court-Administered Alcohol & Drug Programs**

In 1997 the Indiana General Assembly transferred the responsibility for certification, training, and support of Court Alcohol and Drug Programs in Indiana to the Indiana Judicial Center. The Court Alcohol and Drug Program Advisory Committee (CADPAC), was created as a committee of the Judicial Conference of Indiana to assist the Center in this task. Approximately fifty-five circuit, superior, county, and city courts have court alcohol and drug programs.

[IC 12-23-14](#) governs the establishment of Court Established Alcohol & Drug Programs. Court Alcohol and Drug programs provide screening, assessment, referral, service coordination and case management for eligible individuals involved in the criminal justice system identified with alcohol and drug issues.

A certified court alcohol and drug program may collect user fees from eligible clients in accordance with [IC 12-23-14-16](#) and Section 28 of the [Rules for Court-Administered Alcohol and Drug Programs](#).

Federal rules exist concerning the confidentiality of alcohol and drug abuse patient records. These rules can be found at: [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/42cfr2\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/42cfr2_04.html)

For a directory of certified court alcohol and drug programs and additional information please see: <http://www.courts.in.gov/cadp/>

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